

ORDINANCE NO. 20060420-071

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3435 PARKER LANE FROM MULTIFAMILY RESIDENCE LIMITED DENSITY (MF-1) DISTRICT TO COMMUNITY COMMERCIAL-MIXED USE-CONDITIONAL OVERLAY (GR-MU-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from multifamily residence limited density (MF-1) district to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district on the property described in Zoning Case No. C14-06-0017.SH, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: A 2.772 acre tract of land, more or less, out of Lot 2, Parker at Woodward Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance; and

Tract Two: A 1.675 acre tract of land, more or less, out of Lot 2, Parker at Woodward Subdivision in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "B" incorporated into this ordinance (the "Property"),

locally known as 3435 Parker Lane, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following uses are prohibited uses of the Property:

Automotive rentals
Automotive sales
Bail bond services
Pawn shop services
Commercial off-street parking

Automotive repair services
Automotive washing (of any type)
Exterminating services
Service station
Administrative and business offices

Business or trade school
 Communication services
 Consumer repair services
 General retail sales (general)
 Hotel-motel
 Indoor entertainment
 Medical offices (exceeding
 5000 sq.ft. gross floor area)
 Pet services
 Software development services
 Communication service facility
 Cultural services
 Day cares services (general)
 Guidance services
 Local utility services
 Private secondary educational facilities
 Public secondary educational facilities
 Safety services
 Off-site accessory parking
 Funeral services

Business support services
 Consumer convenience services
 Financial services
 General retail sales (convenience)
 Restaurant (general)
 Indoor sports and recreation
 Outdoor sports and recreation
 Personal improvement services
 Research services
 Theater
 Counseling services
 Day cares services (commercial)
 Day care services (limited)
 Hospital services (limited)
 Private primary educational facilities
 Public primary educational facilities
 Residential treatment
 Urban farm
 Restaurant (limited)

2. Drive-in service is prohibited as an accessory use to a commercial use.
3. The following applies to Tract One.
 - a) The maximum number of residential units is 70 dwelling units.
 - b) The maximum impervious cover is 50 percent.
 - c) A commercial use may not exceed 2,000 square feet of gross floor area.
4. The following applies to Tract Two.
 - a) The maximum height of a building or structure is 45 feet from ground level.
 - b) The maximum impervious cover is 55 percent.
 - c) The maximum number of residential units is 17 dwelling units per acre.
 - d) The maximum number of residential units is 28 dwelling units.

- e) A commercial use may not exceed 2,000 square feet of gross floor area.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on May 1, 2006.

PASSED AND APPROVED

_____, April 20, 2006 §
§
§ _____
Will Wynn
Mayor

APPROVED: _____ ATTEST: _____
David Allan Smith
City Attorney Shirley A. Gentry
City Clerk

EXHIBIT A

**METES AND BOUNDS DESCRIPTION
72,947 SQUARE FEET (1.675 ACRES)
OUT OF LOT 2 OF PARKER AT WOODWARD SUBDIVISION
TRAVIS COUNTY, TEXAS**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND BEING 72,947 SQUARE FEET OR 1.675 ACRES, MORE OR LESS, OUT OF LOT 2, PARKER AT WOODWARD SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, OF RECORD IN DOCUMENT No. 200100234 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 72,947 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found at the northeast corner of said Lot 2, in the south line of Parker Lane, at the most westerly corner of a tract called 50.03 acres in a deed to the City of Austin of record in Volume 4954, Page 1106 of the Travis County Deed Records, now known as Mabel Davis Park, for the northeast corner and **POINT OF BEGINNING** hereof

THENCE with the west line of said 50.03 acres and east line of said Lot 2, S44°43'23"E for a distance of 94.85 feet to an iron rod found in concrete at an angle point

THENCE continuing with said line S06°16'00"W for a distance of 405.09 feet to a calculated point for the southeast corner hereof

THENCE through said Lot 2, N83°28'50"W for a distance of 165.00 feet to a calculated point in the west line of Lot 1 of said subdivision for the southwest corner hereof

THENCE with the east line of said Lot 1 of Parker at Woodward Subdivision and a west line of said Lot 2, N06°16'00"E for a distance of 223.78 feet to a capped iron rod set at an angle point in said line for an angle point hereof

THENCE continuing with said line N13°57'32"W for a distance of 121.29 feet to a capped iron rod set in the south line of Parker Lane at the northeast corner of said Lot 1 of Parker at Woodward Subdivision and the northerly northwest corner of said Lot 2, for the northerly northwest corner hereof

THENCE with the north line of said Lot 2 and south line of Parker Lane, along the arc of a curve to the left whose radius is 692.99 feet and whose chord bears N52°45'27"E for a distance of 183.70 feet to the **POINT OF BEGINNING** hereof and containing 72,947 square feet or 1.675 acres of land, more or less.

Prepared this the 30th of March, 2006 from previous surveys made by the undersigned.

Michael Sanford, R.P.L.S. 3693

0600

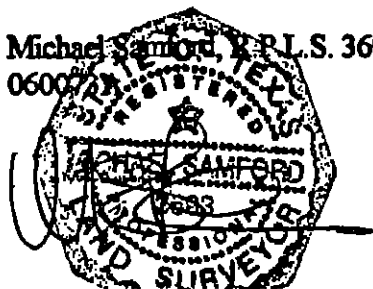


EXHIBIT B

**METES AND BOUNDS DESCRIPTION
120,755 SQUARE FEET (2.772 ACRES)
OUT OF LOT 2 OF PARKER AT WOODWARD SUBDIVISION
TRAVIS COUNTY, TEXAS**

ALL THAT CERTAIN PARCEL OR TRACT OF LAND BEING 120,755 SQUARE FEET OR 2.772 ACRES, MORE OR LESS, OUT OF LOT 2, PARKER AT WOODWARD SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, OF RECORD IN DOCUMENT No. 200100234 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, SAID 120,755 SQUARE FOOT TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at an iron rod found at the northeast corner of said Lot 2, in the south line of Parker Lane, at the most westerly corner of a tract called 50.03 acres in a deed to the City of Austin of record in Volume 4954, Page 1106 of the Travis County Deed Records, now known as Mabel Davis Park; Thence with the west line of said 50.03 acres and east line of said Lot 2, S44°43'23"E for a distance of 94.85 feet to an iron rod found in concrete at an angle point

THENCE continuing with said line S06°16'00"W for a distance of 405.09 feet to a calculated point for the northeast corner and **POINT OF BEGINNING** hereof

THENCE continuing with said line, S06°16'00"W for a distance of 60.00 feet to a capped iron rod set stamped RPLS 3693, at the northeast corner of a 5,755 square foot portion of Lot 2 dedicated and conveyed to the City of Austin in Document No. 2005077611 of the Official Public Records of Travis County, Texas, for a corner hereof

THENCE with the north, west and south lines of said 5,755 square foot parcel, the following 6 calls:

1. S33°49'01"W for a distance of 43.97 feet to a capped iron rod set
2. S74°33'26"W for a distance of 28.50 feet to a capped iron rod set
3. S47°41'47"W for a distance of 28.84 feet to a capped iron rod set
4. S07°07'42"W for a distance of 42.10 feet to a capped iron rod set
5. S66°20'09"E for a distance of 39.70 feet to a capped iron rod set
6. S37°09'11"E for a distance of 41.68 feet to a capped iron rod set in the west line of said 50.03 acre tract and east line of said Lot 2 for a corner hereof

THENCE with the west line of said 50.03 acre tract and east line of said Lot 2, S06°16'00"W for a distance of 229.05 feet to a concrete monument found at the southeast corner of said Lot 2, at a northerly northeast corner of Lot 1 of Allied Bank Subdivision, a subdivision in Travis County, Texas, of record in Plat Book 86, Page 36A of the Travis County Plat Records, for the southeast corner hereof

THENCE with the north line of said Allied Bank Subdivision and south line of said Lot 2, N83°40'25"W for a distance of 344.85 feet to an iron rod found in the east line of Woodward Street, at the northwest corner of said Allied Bank Subdivision, at the southwest corner of said Lot 2, for the southwest corner hereof

THENCE with the east line of Woodward Street and west line of said Lot 2, N06°16'26"E for a distance of 295.75 feet to a capped iron rod set at the westerly northwest corner of said Lot 2 and southwest corner of Lot 1 of said Parker at Woodward Subdivision, for the westerly northwest corner hereof

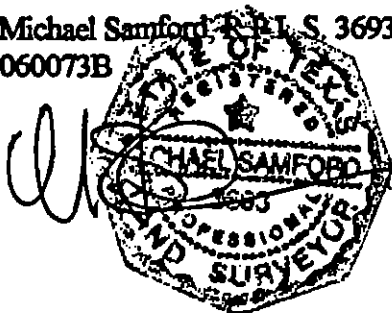
THENCE with the southerly north line of said Lot 2 and south line of said Lot 1 of Parker at Woodward Subdivision, S83°28'50"E for a distance of 179.82 feet to a capped iron rod set at an ell corner of said Lot 2 and the southeast corner of said Lot 1 of the Parker at Woodward subdivision, for an ell corner hereof

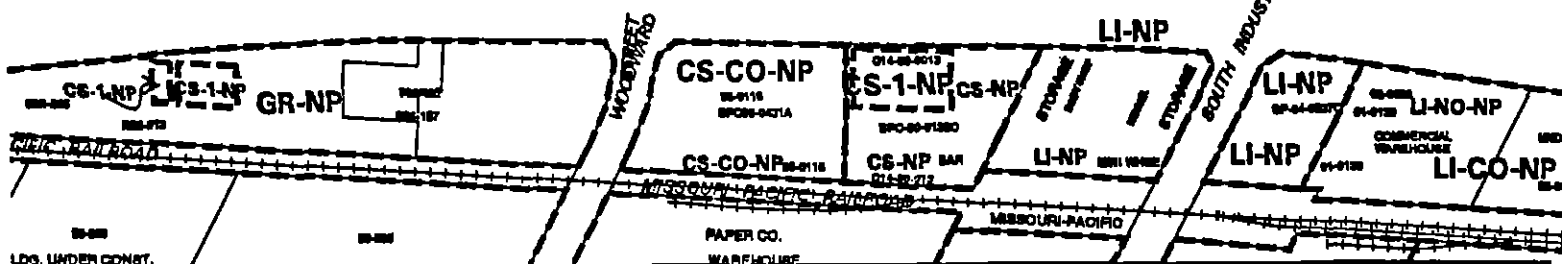
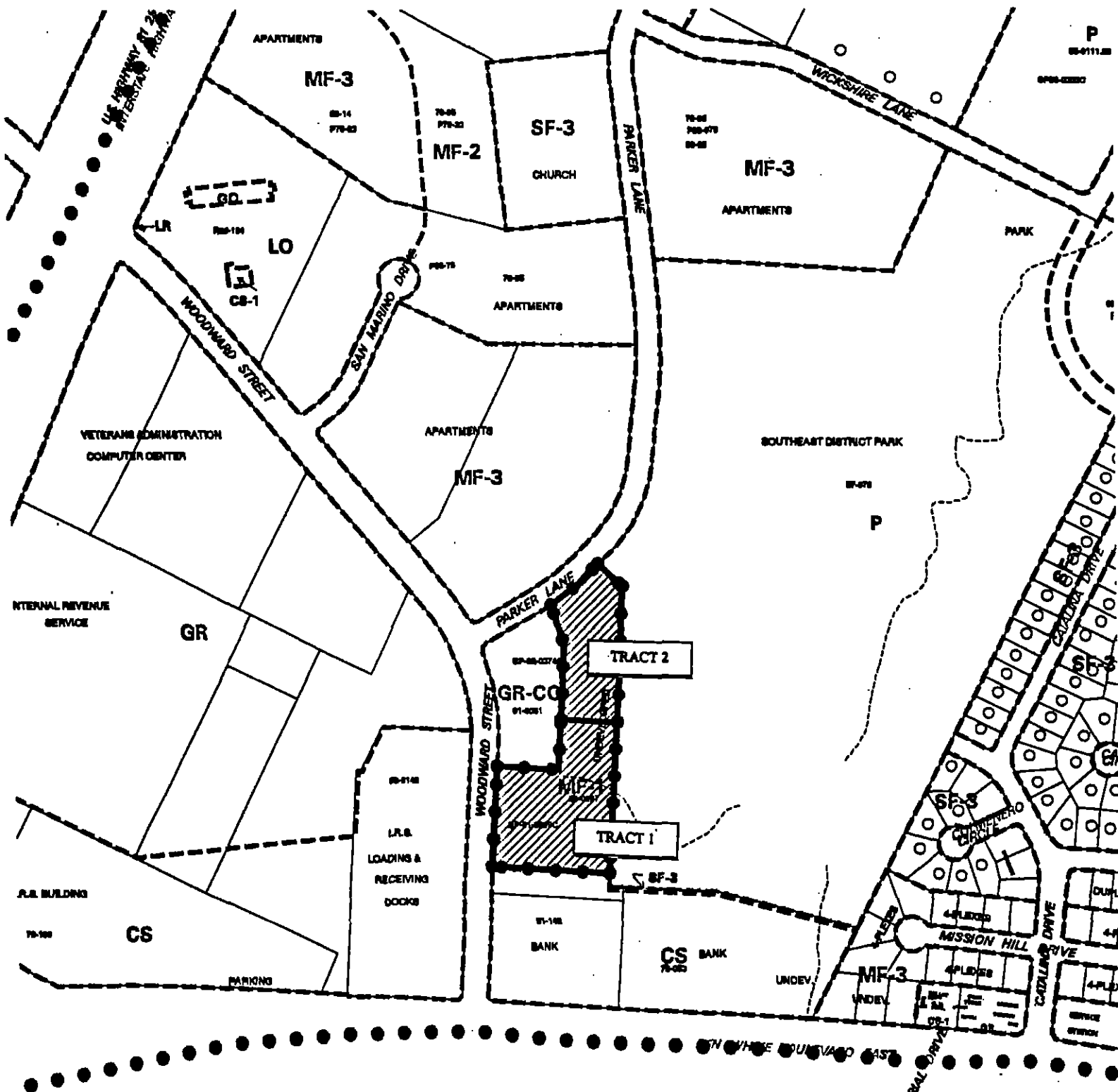
THENCE with the east line of said Lot 1 of Parker at Woodward Subdivision and a west line of said Lot 2, N06°16'00"E for a distance of 149.85 feet to a calculated point for the northwest corner hereof

THENCE crossing through said Lot 2, S83°28'50"E for a distance of 165.00 feet to the POINT OF BEGINNING and containing 120,755 square feet or 2.772 acres of land, more or less.

Prepared this the 30th of March, 2006 from previous surveys made by the undersigned.

Michael Samford, R.P.T.S. 3693
060073B





 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: R.HEIL	CASE #: C14-06-0017.SH ADDRESS: 3435 PARKER LN SUBJECT AREA (acres): 4.447	ZONING EXHIBIT C DATE: 06-04 INTLS: 6M	CITY GRID REFERENCE NUMBER J18